

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

AMAZON.COM INC, *et al.*,

Plaintiffs,

v.

AALITOOD, *et al.*,

Defendants.

Case No. C23-679-MJP

ORDER

On May 10, 2023, Plaintiffs Amazon.com Inc., Amazon.com Services LLC, Canon Kabushiki Kaisha, and Canon USA Inc. filed a complaint against entities responsible for Amazon Selling Accounts, along with a notice that the case is a “Counterfeit Enforcement Action subject to General Order 03-23.” (Dkt. ## 1, 4.) On August 21, 2023, the Honorable Marsha J. Pechman referred the case to the undersigned pursuant to General Order 03-23 for all issues related to service. (Dkt. # 7; *see* General Order 03-23 (W.D. Wash.).)

Federal Rule of Civil Procedure 4(m) provides that the Court—on motion or on its own after notice to plaintiff—must dismiss an action without prejudice against a defendant, or order that service be made within a specified time, if the defendant is not served within 90 days after the complaint is filed. However, if plaintiff shows good cause for the failure, the Court must

1 extend the time for service for an appropriate period. *See* Fed. R. Civ. P. 4(m); *Efaw v. Williams*,
2 473 F.3d 1038, 1041 (9th Cir. 2007) (“District courts have broad discretion to extend time for
3 service under Rule 4(m).”). In deciding whether to exercise that discretion, the Court may
4 consider factors such as a statute of limitations bar, prejudice to the defendant, actual notice of a
5 lawsuit, and eventual service. *Efaw*, 473 F.3d at 1041 (citing *Troxell v. Fedders of N. Am., Inc.*,
6 160 F.3d 381, 383 (7th Cir. 1998)).

7 More than 90 days have elapsed since Plaintiffs filed their complaint. Accordingly,
8 Plaintiffs are ORDERED to file a status report by **September 8, 2023**, providing proof of service
9 or good cause why an extension should be granted.

10 Dated this 23rd day of August, 2023.

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12 MICHELLE L. PETERSON
13 United States Magistrate Judge
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